

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **FIFTH THIRD BANK V CARL A FOSTER**  
Docket No. **274225**  
L.C. No. **05-001818-CH**

Michael R. Smolenski, Judge, acting under MCR 7.211(E)(2), orders:

Having failed to timely file appellants' brief as directed by Second Amended Administrative Order 2004-5 ¶ 9(B)(1), Lysle G. Hall, retained counsel for appellants, shall pay costs in the amount of \$250 to the Clerk of this Court within 21 days of the certification of this order. Second Amended Administrative Order 2004-5 ¶ 9(B)(4). Such costs are personal to the attorney and shall not be charged back to the client.

If appellants' brief is not filed within 7 days of the Clerk's certification of this order, the Clerk's Office is directed to submit this appeal for dismissal and possible assessment of additional costs. Second Amended Administrative Order 2004-5 ¶ 9(B)(4).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB - 1 2007  
Date

*Sandra Schultz Mengel*  
Chief Clerk